

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2013-432083-001 DT

11/12/2015

HONORABLE MICHAEL D. GORDON

CLERK OF THE COURT
C. Curley
Deputy

STATE OF ARIZONA

JOSHUA D CLARK

v.

WALI SALAH WILSON (001)

W MICHAEL ATKINS

TRIAL MINUTE ENTRY
DAY 3

Courtroom SCT 7B

State's Attorney:	Joshua Clark
Defendant's Attorney:	Michael Atkins
Defendant:	Present

Court Reporter, Jennifer Pancratz, is present.

A record of the proceeding is also made by audio and/or videotape.

10:53 a.m. Trial to Jury continues from 11/10/2015.

The jury is not present.

Final Jury Instructions are discussed.

10:56 a.m. Court stands at recess.

11:02 a.m. Court reconvenes with Defendant and respective counsel present.

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Court Reporter, Jennifer Pancratz, is present.

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Case Agent, David Barrios, is present.

Final Jury Instructions are discussed.

11:14 a.m. Jury is present.

Officer David Barrios is sworn and testifies.

12:01 p.m. Jury is admonished and leave the courtroom; Court remains in session.

Discussion is held regarding verdict forms.

12:02 p.m. Court stands at recess.

1:27 p.m. Court reconvenes with Defendant and respective counsel present.

Court Reporter, Jennifer Pancratz, is present.

A record of the proceeding is also made by audio and/or videotape.

Jury is not present.

LET THE RECORD REFLECT that the parties discussed a juror's report that one of the Defendant's family members asked her "Weren't you just upstairs?" and the juror reported to the Judicial Assistant. The parties agreed no action was necessary.

Further discussion is held regarding Final Jury Instructions.

Case Agent, David Barrios, is present.

1:38 p.m. Court stands at recess.

1:50 p.m. Court reconvenes with Defendant and respective counsel present.

Court Reporter, Jennifer Pancratz, is present.

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Jury is not present.

Case Agent, David Barrios, is present.

Further discussion is held regarding Final Jury Instructions.

1:55 p.m. Jury is present.

Officer David Barrios continues testimony.

The Court receives written questions from the Jury. Court and counsel discuss the questions, on the record, out of hearing of the Jury. The relevant questions are asked and answered by the witness.

FILED: Juror Questions (#3)

Witness is excused.

Officer Robert Sandoval is sworn and testifies.

LET THE RECORD REFLECT the witness makes an in-court identification of the Defendant.

State's exhibit 41 is received in evidence.

Witness is excused.

2:42 p.m. Jury is admonished and leaves the courtroom; Court remains in session.

Defense counsel moves for a Directed Verdict.

Argument is presented.

THE COURT FINDS based upon the record that the State has clearly presented substantial evidence, upon which a jury could reach of verdict of guilt in this case; therefore,

IT IS ORDERED denying Defendant's Motion for Directed Verdict for Count 1.

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IT IS ORDERED denying Defendant's Motion for Directed Verdict for Count 2 except for the two younger children.

2:49 p.m. Court stands at recess.

3:02 p.m. Court reconvenes with Defendant and respective counsel present.

Court Reporter, Jennifer Pancratz, is present.

A record of the proceeding is also made by audio and/or videotape.

Jury is not present.

Defense informs the Court, the Defendant will not testify.

Discussion is held regarding ruling on Defendant's Motion for Directed Verdict for Count 2.

3:05 p.m. Jury is present.

State rests.

Defense rests.

Final Jury Instructions are read to the Jury.

Closing arguments.

3:37 p.m. Jury leaves the courtroom; Court stands at recess.

3:43 p.m. Court reconvenes with Defendant and respective counsel present.

Court Reporter, Jennifer Pancratz, is present.

A record of the proceeding is also made by audio and/or videotape.

Jury is not present.

3:44 p.m. Jury is present.

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Closing arguments continue.

Juror 1 and 4 are designated by lot and excused from further consideration of this cause.

4:25 p.m. Jury is admonished and leaves the courtroom; Court remains in session.

The Bailiff is sworn.

IT IS ORDERED permanently releasing State's Exhibits 1, 9-13, 15-17 and 42 to Counsel for the State.

4:27 p.m. Court stands at recess.

4:40 p.m. The deliberating jury stands at recess until **11/16/2015 at 11:00 a.m.** to continue their deliberations.